

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FISH NET, INC., trading as THAT FISH	:	CIVIL ACTION
PLACE — THAT PET PLACE,	:	
Plaintiff	:	
	:	
v.	:	NO. 09-5466
	:	
PROFITCENTER SOFTWARE, INC.	:	
And SYSTEMAX INC.	:	
Defendants	:	

ORDER

AND NOW, this 17th day of October, 2013, upon consideration of Defendant Systemax, Inc.'s Motion for Summary Judgment (Doc. # 77) and all responses and replies thereto, it is hereby **ORDERED** that the Motion is **GRANTED**.

Judgment is hereby **ENTERED** in favor of Defendant Systemax, Inc. and against Plaintiff Fish Net, Inc., trading as That Fish Place — That Fish Place.

Upon consideration of Defendant ProfitCenter Software, Inc.'s Motion for Partial Summary Judgment (Doc. # 93) and all responses and replies thereto, it is hereby **ORDERED** that the Motion is **GRANTED**. Plaintiff's claims for lost profits and other non-direct damages are hereby stricken from the First Amended Complaint.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.